

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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TENNESSEE RAND, INC.,	:	CASE NO. 1:20-cv-02433
Plaintiff,	:	ORDER
v.	:	[Resolving Doc. <a href="#">73</a> ]
GESTAMP WASHTENAW, LLC, et al.,	:	
Defendant.	:	

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JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Defendant Gestamp seeks to seal an exhibit to an expert report.<sup>1</sup> For the foregoing reasons, the Court **GRANTS** the motion

The exhibit Defendant moves to seal contain Plaintiff Tennessee Rand's PLC code. Tennessee Rand claims this code as a trade secret, an issue that is not yet settled at this point in the litigation.<sup>2</sup>

This Court previously granted Plaintiff Tennessee Rand's motion to seal two expert reports containing its copyrighted code.<sup>3</sup> The Sixth Circuit allows trade secrets to be sealed where the proponent makes a "document by document" showing and where the seal is narrowly tailored.<sup>4</sup> Plaintiff satisfied this burden.<sup>5</sup>

Now, Defendant Gestamp seeks to file an exhibit to an expert report containing the same PLC code. Defendant Gestamp seeks to seal the exhibits because of Plaintiff's trade

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<sup>1</sup> Doc. [73](#).

<sup>2</sup> Doc. [67](#).

<sup>3</sup> Doc. [70](#).

<sup>4</sup> *Shane Group, Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016).

<sup>5</sup> Doc. [70](#).

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secret claim. Defendant Gestamp does not concede that the information is a trade secret.<sup>6</sup>

Granting this motion to seal provides consistency across rulings. While the issue of whether the information is a trade secret remains in dispute, Plaintiff previously met its burden to seal the code at this stage in the litigation.

For these reasons, the Court **GRANTS** the motion to file the exhibit under seal.

IT IS SO ORDERED.

Dated: October 7, 2021

s/      James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> Doc. [73](#).